

Notice of Allowability

Application No.

09/738,832

Examiner

Daniel Pan

Applicant(s)

RAYNAUD-RICHARD ET AL.

Art Unit

2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper filed on 05/07/04.
2. ☒ The allowed claim(s) is/are 1-17, 19-23, 25-41, 43 (claims 18, 24, 42 have been canceled).
3. ☒ The drawings filed on 07 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DANIEL H. PAN
PRIMARY EXAMINER
GROUP

Reasons for Allowance

None of the prior art of record teaches :

a) the combined features of the splitting of the extension code, the storage in order of instruction of the index code list as reference to instruction format dictionary , and the determination of the similar use property and random use property of the parameter (claims 1,27);

b) the combined features of the split of extended code, the storage of the extended code in instruction format dictionary, the opcode list having index code in the instruction order, the determination of the subtype of a similar use of property parameter, and the determination of a random use property parameter (claim 14);

c) the combined features of the replacement of the symbol name corresponding to the dynamic link symbol in the binary data with abbreviation smaller than symbol name, the writing of the symbol name and abbreviation as entry in the symbol dictionary, and the identification of the unused symbol to export by the executable file and not to import by another executable file (claim 31);

d) the combined features of the replacement of the symbol name corresponding to the dynamic link symbol in the binary data with abbreviation smaller than symbol name, the writing of the symbol name and abbreviation as entry in the symbol dictionary, and the identification of the unused symbol to export by the executable file

Art Unit: 2183

and not to import by another executable file, the unused symbol name entry as entry (claim 38);

e) the combined features of the replacement of the symbol name corresponding to the dynamic link symbol in the binary data with abbreviation smaller than symbol name, the writing of the symbol name and abbreviation as entry in the symbol dictionary, and the published exception symbol name directly accessed by the executable during execution (claim 45).

References on Record

a) Brandes (5,946,484) was used for the teaching of the splitting of the extended code and the storage of the index code (see table I in col.2, lines 32-59). However, it failed to teach the newly combined features of the splitting of the extension code, the storage in order of instruction of the index code list as reference to instruction format dictionary, and the determination of the similar use property and random use property of the parameter as claimed.

b) Zucker (5,822,787) was used for the teaching of the replacing the symbol name and writing the symbol name as an entry (e.g. see col.9, lines 26-46, col.21, lines 14-52). However, it failed to teach) the combined features of the replacement of the symbol name corresponding to the dynamic link symbol in the binary data with abbreviation smaller than symbol name, the writing of the symbol name and abbreviation as entry in the symbol dictionary, and the identification of the unused

Art Unit: 2183

symbol to export by the executable file and not to import by another executable file as newly amended.

References cited by applicant on 12/03/01 and 05/02/02 has been entered and considered by examiner in a previous Office action on 11/05/03. None of the references cited by applicant teaches the combined features set forth above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pan whose telephone number is 703 305 9696. The examiner can normally be reached on M-F from 8:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chan, can be reached on 703 305 9712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

21 Century Strategic Plan

DANIEL M. PAN
PRIMARY EXAMINER
GROUP

